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7 Proposed Attorney for Debtor

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IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF ARIZONA

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|--------------------------|---|--|
| In re:                   | ) | Chapter 11                             |
| LAW OFFICES OF DONALD W. | ) | Case No. 2:09-bk-30000-CGC             |
| HUDSPETH, P.C.,          | ) |  |
| Debtor.                  | ) | <b>DEBTOR'S (1) APPLICATION TO</b>     |
|                          | ) | <b>EMPLOY PAK &amp; MORING, PLC AS</b> |
|                          | ) | <b>COUNSEL FOR THE DEBTOR AND (2)</b>  |
|                          | ) | <b>BANKRUPTCY RULE 2014(a)</b>         |
|                          | ) | <b>STATEMENT</b>                       |

14 The Law Offices of Donald W. Hudspeth, P.C., an Arizona professional corporation  
15 ("Debtor"), pursuant to Bankruptcy Code § 327 and Bankruptcy Rule 2014, hereby applies for an order  
16 authorizing the employment of the law firm of Pak & Moring, PLC ("Firm") to represent the Debtor.

17 In support of this application, the Debtor represents as follows:

18 1. Employment of counsel is essential to the conduct of the Debtor's Chapter 11 case and  
19 to the ultimate formation of a plan of reorganization.

20 2. The Debtor submits that the Firm is qualified for its expertise in business reorganization  
21 proceedings and other aspects of legal work pertinent to the Debtor's reorganization efforts.

22 3. The Firm will be employed to render legal services for the Debtor in its capacities as  
23 debtor and debtor-in-possession. Those services include, but are not limited to:

24 a. Advising management with respect to the powers and duties of the Debtor and  
25 Debtor-in-Possession;

26 b. Representing the Debtor at the U.S. Trustee interview, first meeting of creditors  
27 and all Court hearings, adversary proceedings or contested matters that have been or may be  
28 filed herein;

1 c. Preparing necessary applications, motions, pleadings, orders, reports and other  
2 legal papers in pursuit of the reorganization;

3 d. Formulating and preparing a plan of reorganization, disclosure statement and  
4 other related documents; and

5 e. Performing other legal services relating to the administration and conduct of the  
6 Debtor's estate in its efforts to reorganize.

7 4. Subject to the Court's authorization of employment of the Firm, it is agreed that the  
8 Firm will charge for its professional services at its normal hourly rates for like matters of each  
9 involved partner, associate and paralegal, and that the Firm will be reimbursed for its costs incurred  
10 in representing the Debtor. The Debtor has entered into a retainer agreement with the Firm.

11 5. The Retainer Agreement provides in pertinent part that:

12 a. The Firm will be paid at the following rates:

13 \$250/hr Andrew M. Ellis

14 \$160-\$395/hr other Firm attorneys

15 \$85-\$150/hr Firm paralegals

16 b. All out-of-pocket costs and expenses will be reimbursed by the Debtor; and

17 c. A pre-petition retainer of \$1,724 has been paid to the Firm and the Firm has  
18 offset its pre-petition fees and costs in the amount of \$1,724.00, which includes the \$1,039  
19 filing fee paid to the Bankruptcy Court). Pos-petition fees will be paid pursuant to further  
20 Court order.

21 6. The pre-petition retainer was paid to the Firm by the Debtor.

22 7. The Debtor and the Firm have disclosed in the Firm's Rule 2016 Verified Statement  
23 filed concurrently herewith that the Firm has no connection with any party-in-interest in this  
24 proceeding that is adverse to the interest of the Debtor or its estate and the Firm is a "disinterested  
25 person" within the meaning of Bankruptcy Code §§ 101(14) and 327. The Firm has disclosed any  
26 connection to creditors of the Debtor.

27 WHEREFORE, the Debtor respectfully requests that the Court enter its order authorizing the  
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1 employment of the law firm of Pak & Moring, PLC as counsel for the Debtor.

2 DATED: November 29, 2009.

3 PAK & MORING, PLC



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5 By: /s/ AME018326

6 Andrew M. Ellis

7 Proposed Attorneys for Debtor

8 LAW OFFICES OF DONALD W. HUDSPETH, P.C.

9  
10 By:   
11 Donald W. Hudspeth  
12 President & CEO 

13 FOREGOING filed electronically with the United States Bankruptcy Court, District of Arizona, on  
14 November 29, 2009, with a COPY of the foregoing e-mailed or mailed this same date to:

15 U.S. Trustee's Office  
16 230 N First Ave Ste 204  
17 Phoenix AZ 85003  
18 USTPRegion14.PX.ECF@USDOL.GOV

19 By: /s/ Clare Y. Green  
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